



Reprinted
January 28, 2014

HOUSE BILL No. 1361

DIGEST OF HB 1361 (Updated January 27, 2014 5:46 pm - DI 75)

Citations Affected: IC 5-16.

Synopsis: Public works projects. Amends the public works statute applicable to state universities so that contracts for small projects of a state university can be performed under a quotation procedure rather than a bid procedure.

Effective: July 1, 2014.

Morrison, Karickhoff, Pierce

January 15, 2014, read first time and referred to Committee on Employment, Labor and Pensions.

January 21, 2014, reported — Do Pass.

January 27, 2014, read second time, amended, ordered engrossed.

HB 1361—LS 7125/DI 75



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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1361

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-16-1-1.6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1.6. In the case of fire,
3 flood, windstorm, casualty or other extraordinary emergency, including
4 mechanical failure of any part of a building or structure, and where the
5 health, safety or welfare of the public or the necessary governmental
6 operations are endangered by such loss or damage, the responsible
7 board or commission may, upon a declaration of emergency recorded
8 in its minutes, proceed to reconstruct or repair the building or structure
9 without advertising for bids. However, in such an emergency, ~~bids shall~~
10 **quotes may** be invited from at least three (3) or more persons, firms,
11 limited liability companies, or corporations known to deal in the work
12 required to be done, and the minutes of the board or commission shall
13 show the names of those persons, firms, limited liability companies, or
14 corporations invited to ~~bid~~ **submit quotes**.
15 SECTION 2. IC 5-16-1-1.7, AS AMENDED BY P.L.172-2011,
16 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2014]: Sec. 1.7. On agricultural or forestry land owned or occupied by Purdue University and used by it for educational or research purposes, the trustees of the university may, upon a declaration of necessity recorded in its minutes, award contracts without advertising for bids or otherwise satisfying the requirements of this chapter, if the cost of work is estimated to be less than two hundred thousand dollars (\$200,000). However, ~~bids~~ **quotes** shall be invited from at least three (3) or more persons, firms, limited liability companies, or corporations known to deal in the work required to be done. The minutes of the board shall show the names of those invited to ~~bid~~ **submit quotes**.

SECTION 3. IC 5-16-1-1.9, AS AMENDED BY P.L.172-2011, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1.9. **(a)** Notwithstanding this article, a state educational institution may award a contract for any construction or repair work to any building, structure, or improvement of the institution without advertising for bids and meeting other contract awarding requirements of this article whenever the estimated cost of the project is less than one hundred fifty thousand dollars (\$150,000). However, in awarding any contract under this section the state educational institution must do the following:

(1) Invite ~~bids~~ **quotes** from at least three (3) persons, firms, limited liability companies, or corporations known to deal in the work required to be done.

(2) Give notice of the project if the estimated cost of the project is more than ~~twenty-five~~ **one hundred fifty** thousand dollars ~~(\$25,000)~~ **(\$150,000)**. If required, notice must include a description of the work to be done and be given in at least one (1) newspaper of general circulation printed and published in the county in which the work is to be done.

(3) Award the contract to the **person who submits the** lowest and best ~~bidder~~ **quote**.

(b) A state educational institution that awards a contract under this section to a minority business enterprise may include the contract when assessing the state educational institution's performance in meeting the goal set under section 7 of this chapter.

SECTION 4. IC 5-16-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) A person who submits a bid **or quote** for a public works contract under this chapter that involves the installation of plumbing must submit evidence that the person is a licensed plumbing contractor under IC 25-28.5-1.

(b) If a public works contract under this chapter is awarded to a



1 person who does not meet the requirements of subsection (a), the
2 contract is void.

3 SECTION 5. IC 5-16-2-1.4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1.4. The political body
5 or officer authorized to let contracts for public works or improvement
6 may, in the reasonable exercise of discretion, reject all bids **or quotes**
7 submitted.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1361, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1361 as introduced.)

Committee Vote: Yeas 7, Nays 4

Representative Gutwein

HOUSE MOTION

Mr. Speaker: I move that House Bill 1361 be amended to read as follows:

Page 1, delete lines 1 through 16.

Delete page 2.

Page 3, delete lines 1 through 4.

Page 3, line 34, after "1.9." insert "(a)".

Page 4, delete lines 11 through 32, begin a new paragraph and insert:

"(b) A state educational institution that awards a contract under this section to a minority business enterprise may include the contract when assessing the state educational institution's performance in meeting the goal set under section 7 of this chapter."

Page 5, delete lines 4 through 15.

Renumber all SECTIONS consecutively.

(Reference is to HB 1361 as printed January 21, 2014.)

MORRISON

